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### FACSIMILE COVER SHEET

DEC 3 2003

DATE: December 2, 2003

OUR REF.:

MTS-3285US

TIME: 3:00 pm.

YOUR REF.:

10/008,945

TO:	Daniel J. Jenkins
COMPANY:	USPTO SPECIAL PROCEDURES SUBMISSION
FROM:	Allan Ratner
FAX TELEPHONE:	(703) 872-9306 (CENTRALIZED FAX NO.)
OFFICE TELEPHONE:	(703) 306-4157
TITLE OF DOCUMENT:	PETITION TO WITHDRAW APPLICATION FROM ISSUE

Total Number of Pages: 23 (including this form)

#### COMMENTS

The issue fee was paid on October 23, 2003. The patent has not yet issued.

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**SPECIAL PROCEDURES SUBMISSION**

PTO/SB/21 (05-03) (AW 07-03)

Approved for use through 04/30/2003. OMB 0651-0031  
U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application No. <b>10/008,945</b>
		Filing Date <b>November 7, 2001</b>
		First Named Inventor <b>Masaru Watanabe, et al</b>
		Art Unit <b>1742</b>
		Examiner Name <b>Daniel J. Jenkins</b>
		Attorney Docket <b>MTS-3285US</b>
Total Number of Pages in This Submission: <b>9</b> + 1 ref.		

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <b>RCE, PTO Form 1449, 1 reference, Return Postcard</b>
Remarks:		

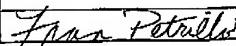
**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Firm or Individual	Allan Ratner	Registration No. (Attorney/Agent)	19,717
Signature			
Date	December 2, 2003		

**CERTIFICATE OF TRANSMISSION / MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:

December 2, 2003

Name (Print/Type)	Fran Petruillo
Signature	
Date	December 2, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, completing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

**SPECIAL PROCEDURES SUBMISSION**

**SPECIAL PROCEDURES SUBMISSION**

PTO/SB/17 (10-03) (AW 10/2003)

Approved for use through 7/31/2005. OMB 0651-0032  
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**FEET TRANSMITTAL  
for FY 2004**

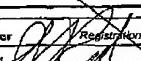
Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT (\$)** **900.00**

Complete if Known	
Application Number	10/008,945
Filing Date	November 7, 2001
First Named Inventor	Masaru Watanabe et al.
Examiner Name	Daniel J. Jenkins
Art Unit	1742
Attorney Docket No.	MTS-3285US

METHOD OF PAYMENT (check all that apply)				
<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Money Order	<input checked="" type="checkbox"/> Other	<input type="checkbox"/> None
<input checked="" type="checkbox"/> Deposit Account:				
Deposit Account Number	18-0350			
Deposit Account Name	RatnerPrestia			
The Commissioner is authorized to: (check all that apply)				
<input checked="" type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Credit any overpayments	<input type="checkbox"/> Charge any additional fee(s) during the pendency of this application		
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.				
FEE CALCULATION				
1. BASIC FILING FEE				
Large Entity	Small Entity			
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1001	770	2001	385	Utility filing fee
1002	340	2002	170	Design filing fee
1003	530	2003	255	Plant filing fee
1004	750	2004	385	Reissue filing fee
1005	160	2005	80	Provisional filing fee
SUBTOTAL (1)			(\$)	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE				
Large Entity	Small Entity	Extra Claims	Fee from below	Fee Paid
Total Claims	>10*	0	0	0
Independent Claims	-5	0	0	0
Multiple Dependent		X	= 0	0
SUBTOTAL (2)			(\$)	
*Or number previously paid, if greater. For Reissues, see above.				
Other fee (specify)				
*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$ 900.00)

SUBMITTED BY					
Name (Print/Type)	Ratner	Registration No. Attorney/Agent	19,717	Telephone	(610) 407-0700
Signature					
Date	December 2, 2003				

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PTO/SB/00 (06-03) (AW 07/03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**Request for  
Continued Examination (RCE)  
Transmittal**

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	<b>10/008,945</b>
Filing Date	<b>November 7, 2001</b>
First Named Inventor	<b>Masaru Watanabe et al.</b>
Art Unit	<b>1742</b>
Examiner Name	<b>Daniel J. Jenkins</b>
Attorney Docket No.	<b>MTS-3285US</b>

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

- 1. Submission required under 37 CFR 1.114:** Note: If the RCE is proper, any previously filed un-entered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed un-entered amendment(s) entered, applicant **must** request non-entry of such amendment(s).

- a.  Previously submitted on \_\_\_\_\_. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.
  - i.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - ii.  Other \_\_\_\_\_
- b.  Enclosed
  - i.  Amendment/Reply
  - ii.  Affidavit(s)/Declaration(s)
- c.  Information Disclosure Statement (IDS)
- d.  Other \_\_\_\_\_

**2. Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_ months. (Period of suspension shall not exceed 3 months. Fee under 37 CFR 1.17(i) required)
- b.  Other Petition To Withdraw Application from Issue.

**3. Fees**

- a.  The Director is hereby authorized to charge any underpayment, or credit any overpayments, to Deposit Account No. 18-0352.
  - i.  RCE fee required under 37 CFR 1.17(e).
  - ii.  Extension of Time fee (37 CFR 1.136 and 1.17).
  - iii.  Other Petition Under 37 C.F.R. 1.213(c)(2).
- b.  Check in the amount of \_\_\_\_\_ is enclosed.
- c.  Payment by credit card (Form PTO-2036 enclosed)

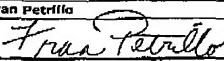
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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Allan Ratner	Registration No. (Attorney/Agent)	19,717
Signature		Date	December 2, 2003

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Name (Print/Type)	Fran Petrifilo	Date	December 2, 2003
Signature			

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